

**Minutes
Windsor Town Council Meeting
Town Hall
May 25, 2010**

The Windsor Town Council met in regular session on May 25, 2010 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Marvin A. Crocker, Jr. was present, and he called the meeting to order. He welcomed those who were present. He asked for anyone with cell phones to please turn them off. He asked the Clerk to call the roll. Robin Hewett, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Dennis Carney, Planning and Zoning Administrator, and Joshua Pretlow, Jr., Town Attorney were present.

Council members present: J. Clinton Bryant
William L. Jones
Carita J. Richardson
Durwood V. Scott
Greg Willis

Council member absent: Wesley F. Garriss

Mayor Crocker asked Councilman Willis to give the invocation, and Councilman Willis did.

Public Hearing

Capital Improvements Plan

Mayor Crocker said the first public hearing is to receive the comments and requests of interested citizens and organizations concerning the formulation and preparation of a proposed Capital Improvements Plan for the fiscal years 2010-2011 through 2014-2015 for the Town of Windsor, Virginia. He said the Town of Windsor's Capital Improvements Plan encompasses contemplated expenditures by the Town of Windsor in excess of \$1,000 for improvements to sidewalks, public buildings, public streets, public lands, public utilities, public services or public safety. He asked the Town Attorney if the public hearing had been properly advertised, and the Town Attorney said "yes" the public hearing had been properly advertised.

Mayor Crocker asked the Town Manager to give an overview at this time. Mr. Stallings said there are not many items in the Capital Improvements Plan (CIP) for this year. He said there is \$10,000 in the Water Fund CIP for touch-read meters. He said there is \$56,000 in the General Fund CIP which consists of \$36,000 for a police vehicle and \$20,000 for the Space Needs Fund. He said this will not be voted on tonight, but will be voted on at the June 8th Council meeting.

Mayor Crocker opened the public hearing and asked for any persons in favor of the Capital Improvements Plan to come forward. There were none. He asked for any

persons in opposition of the CIP to come forward, and hearing none he closed the public hearing. He said it is now open for discussion among Council.

Mayor Crocker said he feels that the CIP is fitting for the economic situation for the Town. He said he is in favor of the Capital Improvements Plan.

Proposed Operating Budget For Fiscal Year July 1, 2010 - June 30, 2011

Mayor Crocker said the next public hearing is to consider the proposed budgets for the Town of Windsor, Virginia for the fiscal year July 1, 2010 through June 30, 2011. He asked the Town Attorney if the public hearing had been properly advertised. Mr. Pretlow said "yes" the public hearing had been properly advertised. He asked the Town Manager to give a brief overview. Mr. Stallings said as mentioned before the proposed budget includes no increase in taxes, no increase in fees, and no increases in water rates. He said there are no frills, no fat and no unneeded programs. He said there are no decreases in services for the residents. He said just like the CIP, Council will vote on the proposed budget at its June 8th Council meeting.

Mayor Crocker opened the public hearing, and asked for any persons in favor of the proposed 2010-2011 budget to come forward. There were none. He asked for any persons in opposition of the proposed budget to come forward, and hearing none he closed the public hearing. He said it is now open for discussion among Council.

Mayor Crocker asked the Town Manager if the modification that was made to the budget since the last meeting was made to all copies of the budget throughout Town. Mr. Stallings said "yes" when Council received the change it was also changed in all the proposed budgets placed throughout Town. Mayor Crocker asked the Town Manager if he had received any comments from anyone. Mr. Stallings said "no" he had not gotten any comments.

Mayor Crocker said if there are no other comments from anyone this item will be set aside until the June 8th Council meeting.

Town Manager's Report

Creason Water System

Mr. Stallings said at its last meeting, Council directed him to research the discussion regarding the Creason water system on Old Suffolk Road and Tyler Drive. He said in the Council packets are copies of excerpts from all the minutes from Council meetings, work sessions and committee meetings at which the Creason water system was discussed. He said he also located one letter to the Creasons and two memos to council that contained reference to the Creason water system. Mr. Stallings said as you can see, this topic has been discussed for over three and a half years. He said you can see from the first letter, that the Creasons approached the Town about buying their water system back in August of 2006. He said Mr. Falkenstein's response letter references discussion at the September Council meeting, but he said he could not find no such discussion in the minutes. He said he

has to assume that this discussion occurred during the closed session at the September meeting.

Mr. Stallings said the Creasons were aware of the water system project, and that Mr. Jones had several meetings with them throughout the past three and a half years. He said the minutes do not provide much insight into the discussion that Council had on this matter. He said therefore we have to rely on memory and the historical knowledge that resided with Council.

Councilwoman Richardson asked the Town Attorney to clarify for everyone what is required of the residents regarding the Town's water lines. Mr. Pretlow said the residents, because of the ordinance the Town has, are being required to have a mandatory hook up to the Town's water system. He said this is allowed by State Code. He said they do not have to use the Town's water, but they do have to pay the fees and the minimum bi-monthly bill.

Councilman Scott asked the Town Attorney how the connection works for the resident if they decide they do not want the Town's water. Mr. Pretlow said the resident has to pay all the fees and have piping from the meter to the house, but they do not have to connect to the house. He said there will be no cross connections of the water systems. He said they can continue to buy water from the Creasons, but they will also have to pay the minimum bi-monthly bill from the Town. Mr. Pretlow said if the resident decides to sell the house, and connection has not been made from the house to the Town's water meter, this will have to be done before the house is sold. He said it is up to the resident as to whether or not they connect at the house or not, but they are still required to pay all fees regardless.

Councilwoman Richardson asked Mr. Stallings if he had talked with the engineer and had an idea of a completion date. Mr. Stallings said the engineer is working with DEQ on some issues with the well. He said the water lines are complete and have been tested. He said they wanted to turn everything over at one time. He said he has a meeting on June 3rd with DEQ and the engineer. Mr. Stallings said he will have a report on the outcome of this meeting for Council at its June 8th Council meeting.

Councilman Scott asked Vice Mayor Jones if he could recall any of the discussions he had with the Creasons. Vice Mayor Jones said the Creasons proposed to the Town \$30,000 for the two wells (\$15,000 for each well). He said the Town later offered the Creasons \$10,000 for the wells (\$5,000 for each well). He said there was no response back from the Creasons. He said he does not remember anything getting resolved on the well purchase. Mayor Crocker suggested having the negotiation process start over again.

Councilman Willis asked Mr. Stallings if he had a chance to research the background of the value of the property where the wells are located. Mr. Stallings said he had not had a chance to get that information, but this is information that Council needs to consider. He said he would work on getting this information for Council.

Mayor Crocker asked Mr. Stallings to schedule a meeting to meet with the Creasons, Vice Mayor Jones, and the Town Attorney to discuss this matter further. Mayor Crocker said the February 10th memo to Council from Mr. Rowe informed Council that there was no value for the Town to purchase the well system from the Creasons. He said the memo states that there is no benefit to the Town, and that the wells would have to be capped off. Mayor Crocker asked the Creasons if they could remain after the Council meeting for a few minutes to get together with the others involved to set a date and time for the meeting.

4th of July Celebration – Fireworks Display Permit

Mr. Stallings said as last year, he has included a resolution for Council's consideration and adoption which constitutes the Town's written issuance of the fireworks display permit to the County's Department of Parks and Recreation. He said Section 73-10 of the Windsor Town Code provides a process for the Town to issue a permit for fireworks displays. He said he would recommend that Council adopt the resolution.

Mayor Crocker asked the Clerk to read the title of the resolution. Ms. Hewett read the title as follows: "A resolution issuing a fireworks display permit to the Isle of Wight County Department of Parks and Recreation to conduct a 4th of July fireworks display in the Town of Windsor, Virginia."

Councilwoman Richardson made a motion to adopt the resolution entitled: *A Resolution Issuing a Fireworks Display Permit to The Isle of Wight County Department of Parks and Recreation to Conduct a 4th of July Fireworks Display in the Town of Windsor, Virginia.* Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Old or Unfinished Business

Vice Mayor Jones said he received lots of comments regarding the possible closing or moving of the Post Office at the Business Appreciation Breakfast. He said he has received more comments about this issue than the annexation issue years ago. He said he feels Council needs to think about this issue more. He said there is going to be a \$18,000 revenue loss by not renewing the Post Office lease, which is a one cent increase on the tax rate. Vice Mayor Jones said he feels Council is moving in the wrong direction as a Town if they do this. He said there are residents concerned about the Post Office leaving and this is a service provided to the Town. He said he feels it is Council's best interest to start negotiation on a five-year lease with the Post Office. He said Council needs to look at adding on to the back of the Town Hall, because he feels the Town Hall is not going to move in the next ten to fifteen years. He said he would like Council to come back to the June meeting with new ideas and new directions regarding this issue. Mayor Crocker said he appreciated Vice Mayor Jones' comments.

Mayor Crocker asked Mr. Stallings if he had heard anything further from Congressman Randy Forbes' office. Mr. Stallings said he received a call this morning from a staff person from Congressman Forbes' office. He said she had not

seen the letter, so he emailed her another copy of the letter. He said she said she would see that the Town gets a response. Mr. Stallings said he received a phone call from a gentleman in Mr. Forbes' office this afternoon, and the individual was confused. He said apparently Isle of Wight County has contacted Congressman Forbes' office as well. He said someone in Congressman Forbes' office has been dealing with Don Robertson. Mr. Stallings said he should have a response by the end of the week to the letter the Town sent. He said as soon as he receives a response it will be forwarded to Council.

Mayor Crocker said he would like to thank Town Staff for all their work in making the Business Appreciation Breakfast a success.

New Business

Mayor Crocker said the Board of Supervisor's Action List for May 6th is in the Town office for your review. He said he would like to thank everyone for the flowers he received in the passing of this brother.

Mr. Stallings said he has received seven resumes for the Chief of Police position to date. He said the vacancy is open until June 23rd.

Mayor Crocker said this meeting is continued until June 8, 2010.

Marvin A. Crocker, Jr., Mayor

Robin Hewett, CMC
Town Clerk

TOWN OF WINDSOR
RECORD OF
COUNCIL VOTES

Council Meeting Date May 25, 2010

Motion #	Willis	Scott	Bryant	Jones	Garris	Richardson	M. Crocker
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Windsor Town Council
May 25, 2010
Robin Hewett, CMC
Clerk